



# City of Downey

FUTURE UNLIMITED

## CITY COUNCIL

**MAYOR**  
DAVID R. GAFIN

**MAYOR PRO TEM**  
DN. MARIO A. GUERRA

**COUNCIL MEMBERS**  
ANNE M. BAYER  
RICK TREJO  
KIRK O. CARTOZIAN

**CITY MANAGER**  
GERALD M. CATON

**CITY CLERK**  
KATHLEEN L. MIDSTOKKE

June 25, 2008

Board of Supervisors  
Sachi A. Hamai, Executive Officer  
Room 383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

**Re: Resolutions - General Municipal Consolidated Election  
November 4, 2008**

Dear Ms. Hamai:

Enclosed are two certified copies of the following Resolutions adopted by the Downey City Council on June 10, 2008:

**Resolution No. 08-7060:** Calling and Giving Notice of the Holding of a General Municipal Election on November 4, 2008

**Resolution No. 08-7061:** Requesting the Board of Supervisors to Consolidate with the Statewide General Election on November 4, 2008

**Resolution No. 08-7062:** Adopting Regulations for Candidates

Please schedule this Consolidation request on the **next available Board of Supervisor's Agenda**. Section 4 of Resolution No. 7061 does state that the City of Downey agrees to reimburse the County for any costs. Please provide me with a copy of the Board Agenda when this matter is scheduled.

We look forward to a favorable consideration of this matter. Thank you for your courtesy and service. If you have any questions, please feel free to call me at (562) 904-7280.

Very truly yours,

Kathleen L. Midstokke, CMC  
City Clerk

encls.  
/klm

**RESOLUTION NO. 08-7060**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 4, 2008, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CHARTER OF THE CITY OF DOWNEY.**

**WHEREAS**, under the provisions of the City of Downey Charter Section 1300, a General Municipal Election shall be held on the 4th day of November, 2008, for the election of three members of the City Council for full terms of four years. One member shall be elected from and by the voters of District One, one member from and by the voters of District Three and one member from and by the voters of District Five.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of the Charter of the City of Downey, there is called and ordered to be held in the City of Downey, California, on Tuesday, the 4th day of November 2008, a General Municipal Election for the purpose of electing three members of the City Council for full terms of four years. One member shall be elected from and by the voters of District One, one member from and by the voters of District Three and one member from and by the voters of District Five.

**SECTION 2.** That the ballots to be used at the election shall be in form and content as required by law.

**SECTION 3.** That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**SECTION 4.** That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Elections Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

**SECTION 5.** That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding Municipal Elections.

**SECTION 6.** That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

**SECTION 7.** That the City Clerk shall certify to the passage and adoption of this Resolution.

**SECTION 8.** The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

RESOLUTION NO. 08-7060  
PAGE TWO

APPROVED AND ADOPTED this 10th day of June, 2008.

MARIO A. GUERRA  
MARIO A. GUERRA, Acting Mayor

ATTEST:

KATHLEEN L. MIDSTOKKE  
KATHLEEN L. MIDSTOKKE, City Clerk

I **HEREBY CERTIFY** that the foregoing Resolution was adopted by the City Council of the City of Downey at a regular meeting held on the 10th day of June, 2008, by the following vote, to wit:

AYES:	Council Members:	Bayer, Cartozian, Trejo, Acting Mayor Guerra
NOES:	Council Member:	0
ABSENT:	Council Member:	Mayor Gafin
ABSTAIN:	Council Member:	0

The foregoing instrument is a full, true and correct copy of the original on file in this office.

KATHLEEN L. MIDSTOKKE  
KATHLEEN L. MIDSTOKKE, City Clerk

ATTEST: June 25, 2008  
Kathleen L. Midstokke  
City Clerk of the City of Downey

**RESOLUTION NO. 08-7060**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 4, 2008, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CHARTER OF THE CITY OF DOWNEY.**

**WHEREAS**, under the provisions of the City of Downey Charter Section 1300, a General Municipal Election shall be held on the 4th day of November, 2008, for the election of three members of the City Council for full terms of four years. One member shall be elected from and by the voters of District One, one member from and by the voters of District Three and one member from and by the voters of District Five.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of the Charter of the City of Downey, there is called and ordered to be held in the City of Downey, California, on Tuesday, the 4th day of November 2008, a General Municipal Election for the purpose of electing three members of the City Council for full terms of four years. One member shall be elected from and by the voters of District One, one member from and by the voters of District Three and one member from and by the voters of District Five.

**SECTION 2.** That the ballots to be used at the election shall be in form and content as required by law.

**SECTION 3.** That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**SECTION 4.** That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Elections Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

**SECTION 5.** That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding Municipal Elections.

**SECTION 6.** That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

**SECTION 7.** That the City Clerk shall certify to the passage and adoption of this Resolution.

**SECTION 8.** The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

RESOLUTION NO. 08-7060  
PAGE TWO

APPROVED AND ADOPTED this 10th day of June, 2008.

MARIO A. GUERRA  
MARIO A. GUERRA, Acting Mayor

ATTEST:

KATHLEEN L. MIDSTOKKE  
KATHLEEN L. MIDSTOKKE, City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Downey at a regular meeting held on the 10th day of June, 2008, by the following vote, to wit:

AYES:	Council Members:	Bayer, Cartozian, Trejo, Acting Mayor Guerra
NOES:	Council Member:	0
ABSENT:	Council Member:	Mayor Gafin
ABSTAIN:	Council Member:	0

The foregoing instrument is a full, true and correct copy  
of the original on file in this office.

KATHLEEN L. MIDSTOKKE  
KATHLEEN L. MIDSTOKKE, City Clerk

ATTEST: June 25 2008  
Kathleen L. Midstokke  
City Clerk of the City of Downey

**RESOLUTION NO. 08-7061**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE THE CITY OF DOWNEY GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2008, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE, PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE.**

**WHEREAS**, City of Downey Charter Section 1300 directs that General Municipal Elections for the election of officers of the City shall be held in the City on the same date and at the same time as the Statewide General Election; and

**WHEREAS**, the City Council of the City of Downey called a General Municipal Election to be held on November 4, 2008, for the purpose of the election of three Members of the City Council for full terms of four years. One member shall be elected from and by the voters of District One, one member from and by the voters of District Three and one member from and by the voters of District Five.

**WHEREAS**, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the Registrar of Voters of the County of Los Angeles canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, the 4th day of November, 2008, for the election of three members of the City Council for full terms of four years. One member shall be elected from and by the voters of District One, one member from and by the voters of District Three and one member from and by the voters of District Five.

**SECTION 2.** That the Registrar of Voters of the County of Los Angeles is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

**SECTION 3.** That the Board of Supervisors is requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

**SECTION 4.** That the City of Downey recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

**SECTION 5.** That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the Registrar of Voters of the County of Los Angeles.

**SECTION 6.** That the City Clerk shall certify to the passage and adoption of this Resolution.

**APPROVED AND ADOPTED** this 10th day of June, 2008.

MARIO A. GUERRA  
MARIO A. GUERRA, Acting Mayor

ATTEST:

KATHLEEN L. MIDSTOKKE  
KATHLEEN L. MIDSTOKKE, City Clerk

**I HEREBY CERTIFY** that the foregoing Resolution was adopted by the City Council of the City of Downey at a regular meeting held on the 10th day of June, 2008, by the following vote, to wit:

AYES:	Council Members:	Bayer, Cartozian, Trejo, Acting Mayor Guerra
NOES:	Council Member:	0
ABSENT:	Council Member:	Mayor Gafin
ABSTAIN:	Council Member:	0

The foregoing instrument is a full, true and correct copy of the original on file in this office.

KATHLEEN L. MIDSTOKKE  
KATHLEEN L. MIDSTOKKE, City Clerk

ATTEST: June 25, 2008  
Kathleen L. Midstokke  
City Clerk of the City of Downey



## **RESOLUTION NO. 08-7062**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008.**

**WHEREAS**, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statement.

### **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:**

**SECTION 1. GENERAL PROVISIONS.** That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Downey on November 4, 2008, may prepare a candidates statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidates education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidates nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

**SECTION 2. CITY OF DOWNEY CHARTER PROVISION.** Pursuant to Section 1307 of the Downey City Charter, any candidate for an elective City office may prepare a statement of qualifications in accordance with the restrictions set forth by State law and subject to the following additional restriction: A statement of qualifications shall be limited to a recitation of the candidates own personal background and qualifications and shall not in any way make reference to other candidates or to other candidates qualifications, character or activities. The City Clerk shall not cause to be printed or circulated any candidates statement of qualifications which the City Clerk determines is not so limited or which includes any such references.

### **SECTION 3. FOREIGN LANGUAGE POLICY.**

- A. Pursuant to the Federal Voting Rights Act, the City may be required to translate candidates statements into the Spanish language, in addition to English, and any other language determined by the County of Los Angeles.
- B. Pursuant to State law, the candidates statement must be translated and printed in the voters pamphlet in the Spanish language at the candidates request.
- C. The City Clerk shall:
  - 1. Translations.
    - (a) Have all candidates statements translated into the languages specified in (a) above;
  - 2. Printing.
    - (a) Have all translations made available upon request in the office of the City Clerk; and print any Spanish translations of candidates who so request and pay for printing in the voters pamphlet.



**SECTION 4. PAYMENT.**

A. Translations:

1. The candidate shall not be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in Section 3 (a) above pursuant to Federal and/or State law.

B. Printing:

1. The candidate shall be required to pay for the cost of printing the candidate's statement in the English language in the voters pamphlet.
2. The candidate shall be required to pay for the cost of printing the candidate's statement in the Spanish language in the voters pamphlet, if requested.

The City Clerk shall estimate the total cost of printing, handling and mailing the candidates statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voters pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the City Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

**SECTION 5. ADDITIONAL MATERIALS.** No candidate will be permitted to include additional materials in the sample ballot package.

**SECTION 6. NOTICE OF REGULATIONS.** That the City Clerk shall provide each candidate, or the candidate's representative, a copy of this Resolution at the time nominating petitions are issued.

**SECTION 7. REPEAL OF PRIOR RESOLUTIONS.** That all previous Resolutions establishing Council policy on payment for candidates statements are repealed.

**SECTION 8. APPLICABILITY.** That this Resolution shall apply only to the General Municipal Election to be held on November 4, 2008, and shall then be repealed.

**SECTION 9. CERTIFICATION.** That the City Clerk shall certify to the passage and adoption of this Resolution.

RESOLUTION NO. 08-7062  
PAGE THREE

APPROVED AND ADOPTED this 10th day of June, 2008.

MARIO A. GUERRA  
MARIO A. GUERRA, Acting Mayor

ATTEST:

KATHLEEN L. MIDSTOKKE  
KATHLEEN L. MIDSTOKKE, City Clerk

I **HEREBY CERTIFY** that the foregoing Resolution was adopted by the City Council of the City of Downey at a regular meeting held on the 10th day of June, 2008, by the following vote, to wit:

AYES:	Council Members: Bayer, Cartozian, Trejo, Acting Mayor Guerra
NOES:	Council Member: 0
ABSENT:	Council Member: Mayor Gafin
ABSTAIN:	Council Member: 0

KATHLEEN L. MIDSTOKKE  
KATHLEEN L. MIDSTOKKE, City Clerk

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of the original on file in this office

ATTEST:

June 25, 2008  
Kathleen L. Midstokke  
City Clerk of the City of Downey